

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHAEL CALLAGHAN,

Plaintiff,

v.

Civil Action No. 2:12-cv-03419

NATALIE E. TENNANT, in her
official capacity as West Virginia
Secretary of State; NATALIE E. TENNANT,
GARY A. COLLIAS, WILLIAM N. RENZELLI,
and ROBERT RUPP in their official capacities
as members of the West Virginia State
Election Commission,

Defendants.

PLAINTIFF'S RESPONSE TO DEFENDANTS' EXHIBITS

The Defendants, in response to this Court's August 16, 2012 Order [Doc 16], have filed certain documents [Doc 18] with respect to the proceedings in *Loughry v. Tennant*, pending before the Supreme Court of Appeals of West Virginia, docketed as No. 12-0899. Defendants' Exhibit No. 16 is the motion Callaghan filed to intervene in that action. *See* Doc 18-5 at p. 2.

In that August 9, 2012 motion, Callaghan indicated that he would file a response to Loughry's petition on or before noon, August 10, 2012. *See* Doc 18-5 at p. 3, ¶9. The response was tendered to the Clerk as promised and is attached as Exhibit A to this Response.

MICHAEL CALLAGHAN
By Counsel

s/ Anthony J. Majestro

Anthony J. Majestro (WVSB 5165)

POWELL & MAJESTRO, PLLC

405 Capitol Street, Suite P1200

Charleston, WV 25301

Phone: 304-346-2889

Fax: 304-346-2895

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHAEL CALLAGHAN,

Plaintiff,

v.

Civil Action No. 2:12-cv-03419

NATALIE E. TENNANT, in her
official capacity as West Virginia
Secretary of State; NATALIE E. TENNANT,
GARY A. COLLIAS, WILLIAM N. RENZELLI,
and ROBERT RUPP in their official capacities
as members of the West Virginia State
Election Commission,

Defendants.

CERTIFICATE OF SERVICE

The undersigned counsel, counsel for the Plaintiff, does hereby certify that on the 20th day of August, 2012, I electronically filed the foregoing Plaintiff's Response to Defendants' Exhibits with the Clerk of the Court by utilizing the CM/ECF system, which will send electronic notification of said filing to counsel of record.

Marc E. Williams, Esq.
Randall L. Saunders, Esq.
Jenna E. Hess, Esq.
Nelson Mullins Riley & Scarborough, LLP
949 Third Avenue, Suite 200
Huntington, WV 25701
marc.williams@nelsonmullins.com

J. Adam Skaggs, Esq.
Matthew Mendendez, Esq.
Brennan Center for Justice
at NYU School of Law
161 Avenue of the Americas, 12th Floor
New York, NY 10013

Silas B. Taylor, Esq.
Managing Deputy Attorney General
Office of the Attorney General
State Capitol Complex
Building 1, Room E-26
Charleston, WV 25301
silasbtaylor1@gmail.com

s/ Anthony J. Majestro

Anthony J. Majestro (WVSB 5165)
Powell & Majestro, PLLC
405 Capitol Street, Suite P1200
Charleston, WV 25301
Phone: 304-346-2889; Fax: 304-346-2895
amajestro@powellmajestro.com